

500.41280X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: S. ISHIHARA, et al.
Application No: 10/082,183
Filed: February 26, 2002
Title: ORGANIC LIGHT EMITTING ELEMENT AND DISPLAY
DEVICE USING ORGANIC LIGHT EMITTING ELEMENT
Art Unit: 2875
Examiner: Sumati Krishnan

REQUEST FOR CLARIFICATION OF OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 5, 2004

Sir:

Receipt is hereby acknowledged of a new non-final Office Action, dated February 2, 2004, in the above-identified matter.

Appreciation is expressed to the Examiner for the indication in the opening paragraph on page 2 of the Office Action that the rejections in the Office Action of May 8, 2003 based on the U.S. Patent 6,541,130 to Fukuda have been withdrawn. However, it is noted that new rejections based on U.S. Patent 6,049,167 to Onitsuka are presented.

Notwithstanding the indication in the opening paragraph in the Office Action that the rejections based on Fukuda have been withdrawn, it is noted that the reference is nonetheless mentioned in a number of portions of the actual rejections themselves. In addition, the initial sentence of some rejections regarding the two references do not match the body of the rejections.

For example, turning to page 6 of the Office Action concerning the rejection of claim 5, it is stated that claim 5 is rejected over the combination of Taniguchi, Nagayama and Fukuda. However, in the third paragraph of the rejection on page 6 of the Office Action, Onitsuka is referred to in the first sentence, notwithstanding the fact that it was not mentioned in the opening statement of rejection for claim 5. The second sentence of the third paragraph, on the other hand, refers to the Fukuda reference, but the last sentence of the same paragraph (bridging pages 6 and 7) again refers to Onitsuka. Therefore, it is not clear to the Applicants whether the Office Action continues to rely on Fukuda, in combination with Onitsuka, or whether this was a typographical error and all references were intended to refer to either Fukuda or Onitsuka, but not both.

Similarly, in the rejection of claims 19 and 22 which begins in paragraph 7 of the Office Action on page 7 thereof, the initial sentence states that claims 19 and 22 are rejected over the combination of Nagayama, Onitsuka and Tang. Notwithstanding this, Fukuda is again mentioned in the last sentence of the first paragraph on page 8 as part of this rejection of claims 19 and 22. Thus, again, it is not clear whether the Office Action actually intended to include Fukuda in the rejection of claims 19 and 22, or whether this was intended to refer to Onitsuka.

Finally, this same question arises in the rejection of claim 23 which begins in paragraph 8 on page 8 of the Office Action. With regard to claim 23, it is indicated in the initial sentence of paragraph 8 that it is rejected over the combination of Onitsuka and Tang, and further in view of Pichler. Notwithstanding this, the next sentence of the rejection states "Fukuda and Tang together disclose the light emitting display of claim 20." Thus, again, it is not clear as to whether Fukuda was actually intended to

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be included in the reference, or whether the intention was actually to replace Fukuda with Onitsuka.

For the reasons set forth above, clarification of the Office Action and the issuance of a new Office Action is respectfully requested. It is also respectfully requested that the shorten statutory period of response be reset with the mailing date of the new clarified Office Action.

Respectfully submitted,

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